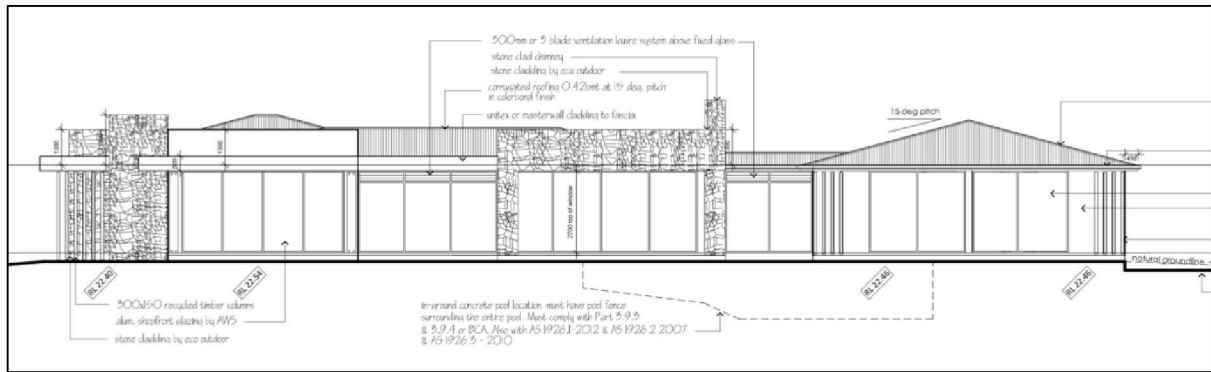


STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed new dwelling and shed at 259 West Wilchard Road,
Castlereagh



Prepared for Mrs Kelly Smith

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1. INTRODUCTION AND EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by Griffin Planning for Mrs Kelly Smith Borg in support of a development application (DA) classified as local development under Part 4 of the Environmental Planning and Assessment Act 1979 (EP and A Act). The DA seeks approval for a single residential dwelling with an attached garage, a swimming pool and an ancillary shed on the site at 259 West Wilchard Road, Castlereagh; the legal title of which is described as Lot 6 of DP 1209152. The SEE addresses:

- a) the environmental impacts of the development,
- b) how the environmental impacts of the development have been identified,
- c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,
- d) any matters required to be indicated by any guidelines issued by the Secretary for the purposes of this clause.

The subject site is located within the Penrith Local Government Area and the proposed development is permissible with consent in accordance with State Environmental Planning Policy (Penrith Lakes Scheme) 1989. This SEE assesses the proposal against the SREP and against the relevant heads of consideration under Section 4.15 of the EP and A Act 1979.

Castlereagh is an area in transition with a reduction in the levels of rural use and more of an emphasis on rural lifestyle/ large lot residential development. The site is located within the vicinity of the Penrith Lakes Scheme and has been affected by the regional planning controls relevant to the function of the Lakes. As the active life of the Lakes scheme draws to a close the allotments fronting Castlereagh Road overlooking the Lakes have become available for development through a recent subdivision which was approved through the Land and Environment Court with due diligence to all policy matters affecting the new allotments and was accompanied by environmental and heritage impact studies as well as flood studies and evacuation plans. With these broader issues dealt with through the subdivision process and by the Land and Environment Court; these lots have now been sold and are being developed as rural lifestyle properties. This SEE deals with the matters relating to the residential development of the site and notes that the broader issues mentioned above have been resolved through previous approval processes.



A development application for a single dwelling was approved on the 27.07.2018 under file DA18/0218 for a single residential dwelling.



The following documentation accompanies this SEE and forms the development application:

- Architectural plans and site plan by Distinct Innovations dated August 2019 and numbered 1707
- BASIX certificate dated 11 October 2019 NAtHers
- Bushfire threat assessment - prepared by Control Line Consulting dated 24.09.19
- Geotechnical report for soil stability
- On site waste water report prepared by Broadcrest Consulting dated November 2019
- Concept Stormwater Management Plan prepared by Broadcrest Consulting Pty Ltd dated 22.10.19
- Flood risk assessment and evacuation plan - prepared by Urban City Consulting Pty Ltd dated 18.8.17
- Landscape plan prepared by Leafscape Designs dated 19.6.19



2. SITE ANALYSIS

The legal description of the allotment is Lot 1 DP 1181666. The property is not affected by any easements or restrictions. The site has an area of 5.79ha and is currently vacant and vegetated by mostly grasslands with a scattering of trees. The site has a slope up to the eastern side of the property. Part of the site has been modified to provide a level building pad.

2.1 LOCALITY DESCRIPTION

The subject site is located on the south eastern intersection of West Wilchard Road and Castlereagh Road and has a frontage of 393 metres to Castlereagh Road. The site has vehicular access off West Wilchard Road and a frontage to that road of 136 metres. The locality is defined by the Nepean River and eastern escarpment of the Blue Mountains and is significant in the history of the establishment of NSW as an early rural settlement. The site is approximately 9 km north of Penrith and 13km south of Richmond. Development within the vicinity is typified by low density rural lifestyle properties within a bushland setting.





FIGURE 1: LOCALITY MAP: SUBJECT SITE

To the east and north of the site; land uses are defined as low density rural/ residential. Land to the west of the site comprises the Penrith Lakes Scheme and larger rural allotments.



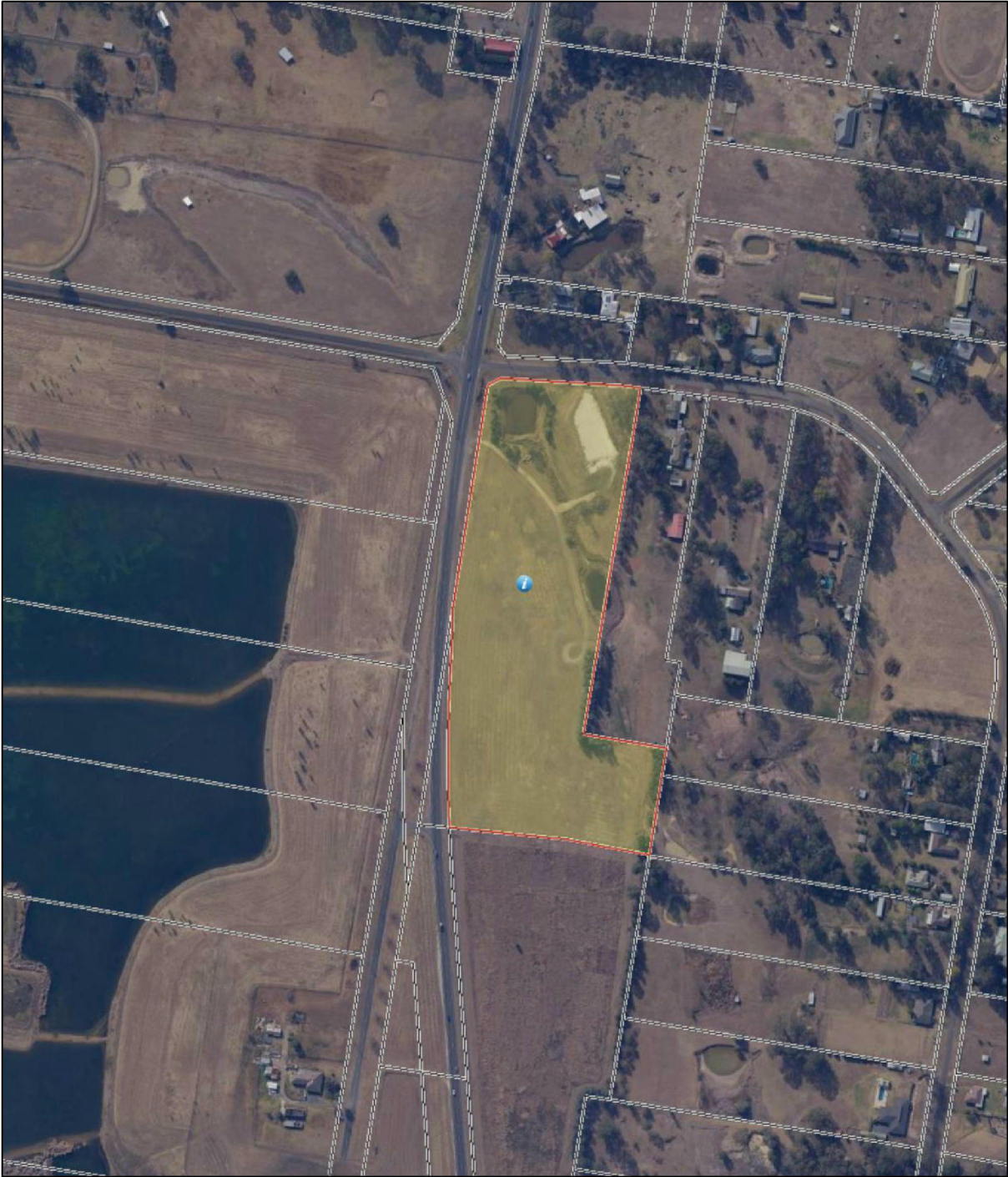


FIGURE 2: AERIAL IMAGE OF PROPERTY



TABLE 1: SITE PHOTOS



FIGURE 3:VIEW OF FRONTAGE OF PROPERTY LOOKING SOUTH WEST



FIGURE 4:VIEW FROM PROPERTY LOOKING SOUTH EAST FROM BUILDING PAD



Table 2: Dwellings in Castlereagh



91 Church Street



114 Tadmore



137 Tadmore



161-191 Church Street: large single dwellings with sheds



Dwellings within the locality are generally large and impressive structures with grand presentations to the street including circular driveways and access to large sheds. The preceding images show typical dwellings within the locality. The proposed dwelling is consistent in form and presentation to those dwellings within the locality.

2.2 TOPOGRAPHY

The site provides flood plain topography at its western and southern section and rises steeply in the north eastern sections. A level building platform is provided in the north eastern section.

2.3 DRAINAGE AND FLOODING

The site provides a drainage line at the northern section, which is represented as lower order stream and two rural type dams. The location of these drainage features are shown in Figure 1 and 6.



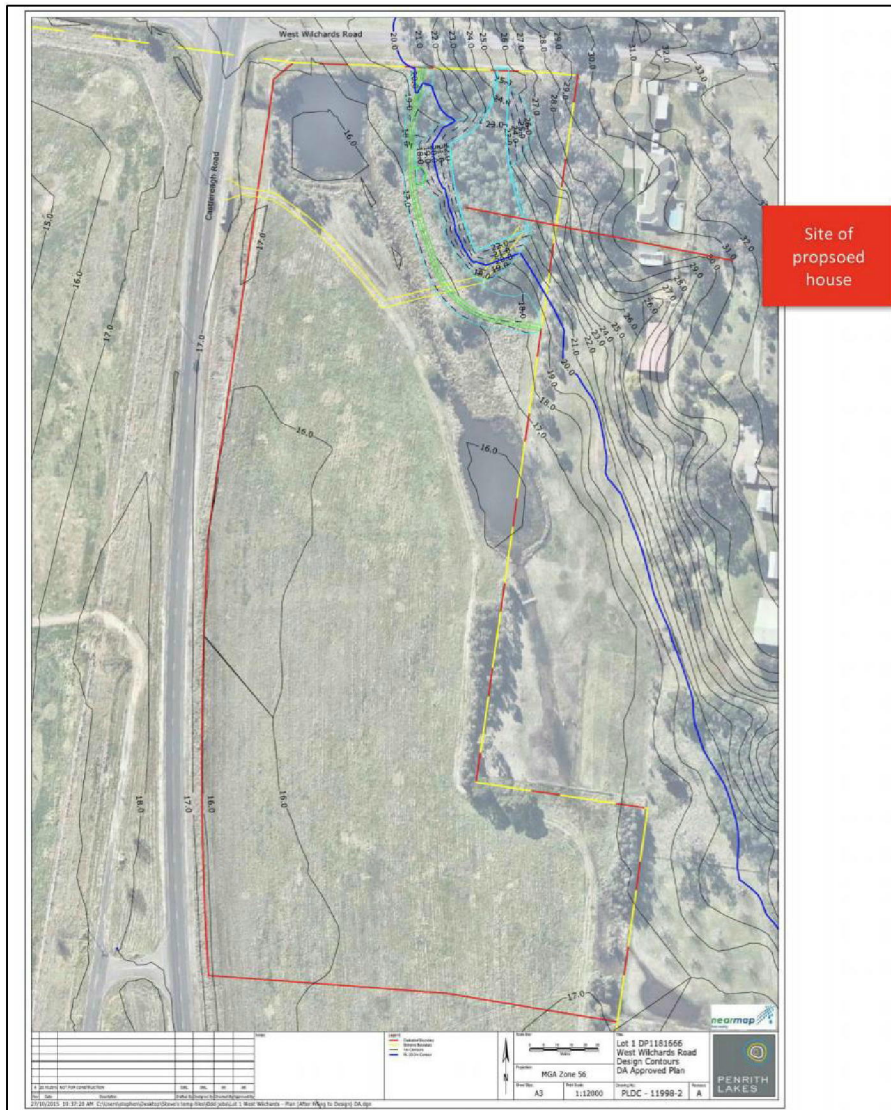


FIGURE 5: SITE TOPOGRAPHY

The watercourse and the broader site drains southwards where it initially enters the Lewis Lagoon and then the Wildlife Lake stormwater treatment trains regime currently provided at the north eastern extent of the Lakes Scheme.

The flood levels of the proposed development site are at RL 23m AHD which is above those identified by both Penrith City Council (20.6m AHD) and the Minister under the Stage 1 Water Management Plan 2012 (21.7m AHD) for the site.

2.4 FLORA AND FAUNA

The site has largely been cleared of vegetation, however does contain a sparse covering of vegetation in the lower sections of the site and a larger copse of trees along the eastern side of the site. A detailed



flora and fauna report accompanies this development application.

2.5 ABORIGINAL AND EUROPEAN HERITAGE

The site does not contain any items of heritage.

2.6 SERVICES AND INFRASTRUCTURE

The site has reticulated water but is unsewered. Power and communication services are available to the site.

2.7 PREVIOUS DEVELOPMENT

The site has formerly been part of the Penrith Lakes Scheme and as such has experienced sand and gravel extraction pursuant to The Lakes Scheme issued on the 9 September 1988.



3. PROPOSAL

The proposal is to develop a single storey dwelling (Class 1A) and an attached garage (Class 10) and a swimming pool in the location which has been cleared and levelled in the north east section of the site the following works:

- a single storey x 7 bedroom dwelling and cinema room; with a building footprint of 530m².
- an attached garage with storage for 6 cars with a building footprint of 127.82m²
- a shed for the storage of equipment and vehicles for personal use and enjoyment by the residents and ancillary to the dwelling house with a building footprint of 200m².
- a swimming pool on the western side of the proposed building
- on site sewage treatment as detailed in the waste water report
- on site stormwater detention as detailed in the concept stormwater management plan
- landscaping works as detailed in the landscape plan

The proposed dwelling will be setback a minimum of 70.9 metres from Castlereagh Road and 15 metres from West Wilchard Road.

Full details of the proposal are provided in the documentation which accompany this development application.



4. PLANNING CONTROLS

The following section will address all relevant planning controls applicable to the site in accordance with Section 41.5 (1)(a) of the Environmental Planning and Assessment Act, 1979.

Note that the subject site is a deferred matter from the standard instrument - Penrith Local Environmental Plan 2010. However; there are no draft zoning policies applicable to the site at this time.

4.1 SECTION 4.14 OF THE EP & A ACT 1979 BUSHFIRE PRONE LAND

The subject site is mapped as bush fire prone land. Accordingly the development application is accompanied by a bush fire threat assessment which identifies that the bush fire rating for the property is LOW and works are to comply with AS3959 BAL 12.5. The proposal meets the requirements and objectives of Planning for Bushfire Protection and satisfies the requirements of this clause.

4.2 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX - BASIX) 2004

The proposal is accompanied by a BASIX certificate that complies with the requirement of the state planning policy.

4.3 SEPP No. 55 – REMEDIATION OF LAND

The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land. In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and



development applications for consent to carry out a remediation work in particular, and

(c) by requiring that a remediation work meet certain standards and notification requirements

The site has been evaluated for contamination and remediation via the Site Audit and Final Validation Report as part of the Lakes Scheme lands. The audit concludes that remediation and validation works have been appropriately implemented. The audit concludes that the site is suitable for residential land use.

The previous development application approved by Council was accompanied by a Virgin Excavated Natural Material (VENM) report for all imported material - which concluded that only natural VENM materials have been placed on the site and therefore presents no significant risk to human health or the environment.

Attached to this report is a geotechnical site classification for the house pad at the subject site that recommends a Class M classification be adopted for the house pad for a residential dwelling in accordance with AS2870-2011.

4.4 SEPP (STATE AND REGIONAL DEVELOPMENT) 2011

This SEPP aims to identify state and regionally significant development and the development assessment process for such development. Schedule 2 to the SEPP identifies certain sites that have been declared to provide state significant development. This schedule references the Penrith Lakes and an extract is provided below:

8 Development at Penrith Lakes Site

Development on land identified as being within the Penrith Lakes Site on the State Significant Development Sites Map if the development is for the purposes of extraction, rehabilitation or lake formation (including for the purposes of associated infrastructure on land located within or outside that Site).



The site is located with the identified Penrith Lakes, however the development is not for the purposes of extraction, rehabilitation or lake and therefore the SEPP is not relevant to this development proposal.



4.5 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY NEPEAN RIVER (No. 2 -1997)

The site is subject to assessment under the provisions of SREP 20. The proposed development has regards to the relevant specific planning policies and recommended strategies contained within that plan as follows:

- 1) Total Catchment management - the proposed development incorporates water sensitive urban design principles which will ensure that the quality and quantity of stormwater leaving the site will not have an adverse impact on the receiving waters within the catchment.
- 2) Environmentally sensitive areas - the proposed development is on land which is already cleared.
- 3) Water quality - see point 1. Above
- 4) Water quantity - see point 1 above
- 5) Cultural heritage - the proposed development will not adversely impact on any items of cultural heritage
- 6) Flora and fauna - the proposed development is located on already cleared land and will result in minimal clearing of vegetation from the site in order to comply with the requirements of Planning for Bushfire Protection.
- 7) Riverine Scenic quality - the proposed development is consistent with the landscape character of the locality and is sited so as to provide a substantial buffer to Castlereagh Road which will maintain the scenic quality of the area



4.6 STATE ENVIRONMENTAL PLANNING POLICY (PENRITH LAKES SCHEME)

1989

SEPP (Penrith Lakes Scheme) 1989 applies to the site and is the primary planning instrument applicable to the site. The following addresses relevant clauses within the policy as they relate to the proposed development.

2. Aims of Policy

The aims of the plan are as follows:

- (a) to provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme,*
- (b) to identify and protect items of the environmental heritage,*
- (c) to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,*
- (d) to permit interim development that will not detrimentally impact on the implementation of the Penrith Lakes Scheme,*
- (e) to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.*

The proposal has regards to the above and is not inconsistent with the aims of the plan.

7. Development generally

A person shall not carry out development on land to which this Policy applies except development authorised by or under this Policy.



This application is made to Penrith City Council under the provisions of this plan. The proposed use is permissible with consent. The site is zoned Residential under the provisions of this plan.

8 Development for the purposes of implementing the Penrith Lakes Scheme

(1) Development for the purposes of implementing the Penrith Lakes Scheme may, with development consent, be carried out on land to which this Policy applies.

Not relevant as the development proposal does not seek to implement the Penrith Lakes Scheme.

9 Interim development on unzoned land

Not relevant as the site is zoned Residential.

Part 3 Permitted or prohibited development on zoned land

The site is zoned Residential as shown in Figure 4 below.



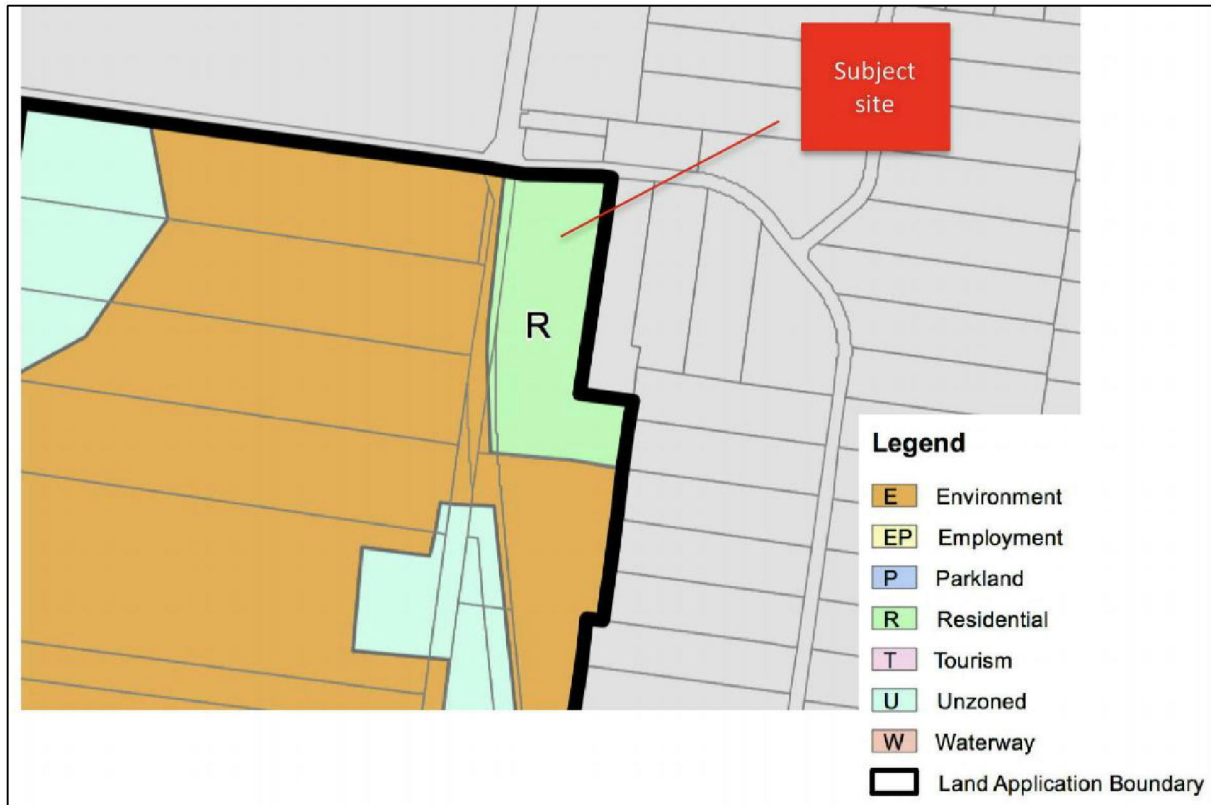


FIGURE 6: ZONING OF THE SITE

The objectives of the Residential zone under this policy are as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic value.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To minimise the potential for conflict between development in residential areas and land uses within adjoining zones.*
- *To ensure that land uses are compatible with the available infrastructure, services and facilities and with the environmental capabilities of the land.*
- *To preserve and improve natural resources through appropriate land and water quality management practices.*

The proposal seeks to develop the land for a residential dwelling and an associated shed which is ancillary to the dwelling house. The development has been sited on the most appropriate location within the



property in order to ensure minimum visual impact and with regards to the environmental constraints of the site.

The documentation which accompanies this development application demonstrates that the land use is within the environmental and infrastructure capacities of the site.

All works will be undertaken utilising appropriate land and water quality measures.

The development therefore causes no inconsistency with the relevant zone objectives.

25 Residential development

(1) Development consent must not be granted for development on land zoned Residential unless the consent authority is satisfied that the number of dwellings on all land zoned Residential will not exceed 30.

The subject site facilitates residential development of a single dwelling house on one of the nominated allotments designated by the SEPP. Accordingly the development will not result in an exceedance of the specified dwelling entitlements under the SEPP.

(2) Development consent must not be granted for development on land zoned Residential unless the consent authority has considered the following:

(a) an Aboriginal cultural heritage assessment for the land (being a written report detailing the results of the assessment and recommendations for actions to be taken before, during and after an activity to manage and protect Aboriginal objects and declared Aboriginal places identified by the investigation and assessment) that has been prepared by a suitably qualified person,



An Aboriginal Archaeological Assessment was conducted for the locality under the parent subdivision application which concludes that any development will have minimal if any impacts on heritage items or Aboriginal places. AN Aboriginal Heritage Impact Permit has already been issued for the subject site under previously approved development application. The development is therefore considered to satisfy this clause of the SEPP.

(b) a geotechnical assessment that has been prepared by a suitably qualified person and demonstrates that a stable development platform exists for the development,

A geotechnical assessment has been prepared to accompany the development application and approves the proposed building envelope for residential development.

(c) an evacuation plan that is prepared by an emergency services organisation and endorsed by the NSW State Emergency Service as being appropriate for the development.

Molino Stewart Pty Ltd; an environmental and natural hazards consultancy, has been involved in flood emergency planning in the Hawkesbury Nepean Valley since the company's inception in 1995. This consultancy has prepared a flood evacuation strategy for all of the properties zoned Residential in the SEPP and this advice has been provided to Council to explain the subject land and other adjacent residential zoned lands within the SEPP can safely evacuate in an extreme flood.

In summary, the evacuation plan for the subject property is to evacuate by vehicle within the ample warning period (at least 7 hours) and if not then occupants can walk/drive out on rising grade on West Wilchards Road above the flood and to stay with neighbours until the flood subsides. The Flood Emergency Response Plan and Action Guide accompanies the development application.



28 Heritage Assessment

The objectives of this clause are as follows–

- (a) to conserve the environmental heritage of Penrith,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The site is not affected by any heritage items or conservation areas. The site has been subject to an Aboriginal Archaeological assessment prior to the subdivision approval of the subject site with no significant sites or matters to be addressed. The proposal to erect a dwelling on the subject site will have no adverse impact on heritage values in the locality.

31 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. No earthworks are proposed as part of the subject development. All earthworks to create the building platform form part of a separate development application.

No earthworks are proposed as part of this development application. Previous earthworks at the site were approved under file DA18/0089.



33 Flood planning

(1) The objectives of this clause are as follows:

(a) to minimise the flood risk to life and property associated with the use of the land,

(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,

(c) to avoid significant adverse impacts on flood behaviour and the environment.

The development application is accompanied by a flood impact statement for the dwelling house.

The proposed dwelling is to be located on the platform area provided in the north-eastern section of the site is approximately 23m AHD, which is well above that flood level and the required freeboard. The development therefore causes no inconsistency with the clause objectives.

Schedule 2 - Matters to be included in the Statement of Environmental Effects

This SEE satisfactorily addresses the requirements and objectives of the SEPP. The proposal is for a relatively minor development within the locality and will not affect the implementation of the broader planning objectives for the Penrith Lakes.



4.7 PENRITH DEVELOPMENT CONTROL PLAN 2014

The following provides an assessment against the relevant clauses of the Penrith DCP 2014. Further assessment is not provided where matters have been dealt with under the SEPP and SREP considerations in the above report. Note that DCPs provide more detailed development standards that are designed to be applied flexibly in response to variable site conditions and aspects. Assessment needs to weigh the benefits of complying with all design standards against the actual site outcomes and usability of the development.

TABLE 3: COMPLIANCE TABLE - PENRITH DCP 2014

COMPLIANCE TABLE Penrith DEVELOPMENT CONTROL PLAN 2014		
Clause	Provision	Statement of Compliance
C1 Site Planning and Design Principles		
1.1.1	Site Analysis	<p>All matters pertaining to site constraints and environmental planning matters have been addressed previously in this report.</p> <p>The development application is accompanied by the following detailed reports which also address relevant environmental issues:</p> <ul style="list-style-type: none"> • Site plan • Geotechnical reports • Flood impact assessment • Flora and fauna review • Bushfire threat assessment • Waste water report
1.1.2	<p>Key Areas with Scenic Views</p> <p>Any areas with views to and from the Nepean River</p>	<p>The property has views across the Penrith Lakes to the river. The site is not mapped as having scenic or landscape values in figure C1.1 as the site is excluded from Penrith LEP 2010. A visual impact assessment is therefore not required to accompany the development application.</p> <p>The proposal has regards to the Principles of the Plan in the following ways:</p> <p>The siting and design of the proposed dwelling is located with a deep setback to Castlereagh Road and the majority of the property will be retained as open grasslands which contribute to the visual characteristics of the area.</p> <p>The proposal maintains the existing land forms on the site.</p> <p>The proposed development will not obstruct views to or from public places due to the topography of the land.</p>



		<p>The adjacent dwelling to the east has a floor level of approximately AHD 32 metres which ensures that existing views will not be obstructed as a result of the proposed dwelling having a FFL of 22.8metres.</p> <p>The proposed design of the new dwelling and shed is articulated and will be screened by landscaping.</p>
1.2.4	Responding to sites topography and landform	The building envelope location is relatively flat and requires minimal land modification. A geotechnical report accompanies this development application verifying the stability of the site in relation to the proposal.
1.2.5	Crime prevention through design	The proposed dwelling has living areas with an outlook to the street which will positively contribute to the passive surveillance of the area and will enhance public safety and security.
C2 Vegetation Management		
2.1	(6) Trees and new development	The building envelope is cleared – existing trees on site will be retained. A landscape plan accompanies this development application.
2.3	Bushfire management	The application is accompanied by a bushfire threat assessment.
C3 Water Management		
3.2	Catchment management and water quality	Onsite stormwater management and effluent treatment has been designed to minimize any adverse impacts.
C4 Land management		
4.1	Site stability and earthworks	<p>Earthworks to create the building platform are kept to within 1 metre for cut or fill across the site.</p> <p>The proposal can be consistent with any Council requirements for site management in the construction phase.</p>
4.3	Erosion and sedimentation	The plans include details for erosion and sedimentation control during the course of development.
C5 Waste Management		
5.1	Waste management plans	Waste management during construction will be undertaken in accordance with Council's requirements. These details can be provided at CC stage. The development can comply.
5.2	Development specific controls	<p>Waste storage areas are available within the proposed residence.</p> <p>The proposed layout and design is consistent with Councils requirements for waste management.</p>



	<p>For dwellings from side boundaries (land greater than 2 hectares) (10 metres)</p>	<p>The dwelling is setback a minimum of 12 metres from the rear boundary.</p>
<p>1.2.3</p>	<p>Site coverage, bulk and massing</p> <ol style="list-style-type: none"> 1) dwellings shall have a maximum ground floor footprint of 500m² 2) dwellings shall have a maximum overall ground floor dimension of 45 metres – with a maximum of 18 metres at any one point. 3) The maximum floor space of the second storey is to be 70% of the floor space of the lower floor. 4) No more than three undercover parking spaces shall face towards a public street 5) A maximum ground floor footprint of 600m² is permitted on any one allotment including the dwelling and all associated structures but excluding 'farm buildings' and any agricultural or non-agricultural development' referred to in this chapter. 	<p>The proposed dwelling has an area of 530m² and the garage has an area of 127.82m² = 657.82m². A variation to the maximum ground floor footprint is sought.</p> <p>The dwelling has a maximum ground floor dimension of 36 metres. The southern elevation has a maximum of 26 metres – this elevation is adjacent to and screened by the shed. It is requested that a variation to this standard be permitted.</p> <p>The proposal is for a single storey dwelling.</p> <p>A maximum of three undercover parking spaces fronts West Wilchard Road. The proposal complies with this clause.</p> <p>The ground floor footprint (including associated structures) is 957.82m². It is requested that Council allow for a variation to this development standard. Justification for the variation is provided below this table.</p>
<p>1.2.4</p>	<p>1) Height and Scale</p> <p>a) Dwellings shall be no more than two storeys in height, including garage and storage areas.</p> <p>c) The maximum height of the ceiling of the top floor of all buildings should not exceed 8m above natural ground level.</p> <p>d) On sloping sites, split level development is preferred. The floor level of the dwelling at any point should not be greater than 1m above or below the natural ground level immediately below the floor level of that point. Cut and fill should be limited to 1m of cut and 1m of fill as shown in Figure D1.7.</p> <p>2) Design and Quality</p> <p>a) The design of dwellings and associated structures should be sympathetic to the rural character of the area.</p> <p>b) Fencing is to be of an open rural nature consistent in style with that normally found in rural areas. Internal courtyard fencing or entry</p>	<p>The proposed dwelling is single storey. in height.</p> <p>The proposal complies with this clause.</p> <p>The proposal complies with this clause.</p> <p>The proposal presents a high quality design that is sympathetic to the locality which is characterized by larger dwellings on rural lifestyle properties.</p> <p>Details of the fencing are not included in this application. any fencing constructed on site will comply with the exempt fencing permitted on the site.</p>



	fencing should be sensitive to the rural environment.	
1.5	<p>Non agricultural development</p> <p>Home business and home industries</p> <p>1.5.6. Truck parking areas – Schedule 2 of LEP 2010 – specifies max area of 200m² 2 trucks per property - must not include the construction of a shed to create the parking area?</p>	No trucks associated with business use will be kept on the property.

5. JUSTIFICATIONS FOR VARIATIONS TO THE DCP

Note that the Environmental Planning and Assessment Act, 1979 makes it clear that the DCP is to provide additional detailed development controls specific to sites and localities. The assessment of development applications against the DCP standards are to be addressed in a flexible manner. Where there is justification for the departure the variation to the development standards can be supported by Council.

5.1 PART D1- RURAL DWELLINGS AND OUTBUILDINGS: 1.2.3 SITE COVERAGE, BULK AND MASSING.

The objectives to this clause are:

- a) To ensure the size of rural dwellings is appropriate considering the size of the site and the character of the area; and*
- b) To ensure the area of the site covered by rural dwellings and associated structures and facilities is appropriate considering the size of the site and the character of the area.*

The proposal is compliant with the objectives of the clause. As can be seen in the site description section of this report - the surrounding locality is characterised by larger dwellings on allotments between 2 hectares and 6 hectares. The following images also reiterate the point that the



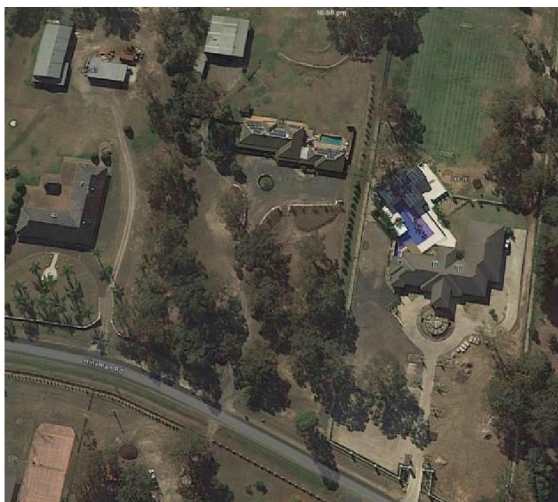
proposed site coverage will be similar in form and location to that which has established within the locality.



Castlereagh Road



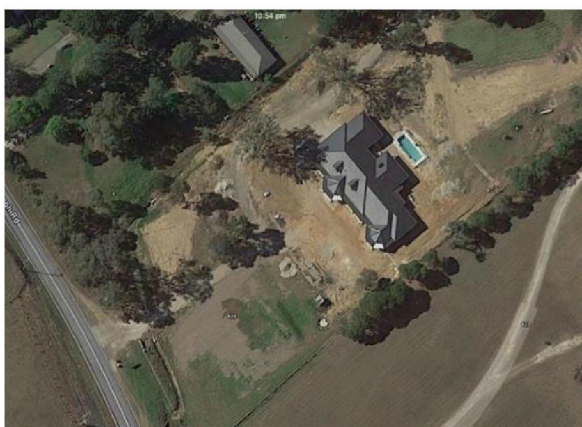
Sheredan Road



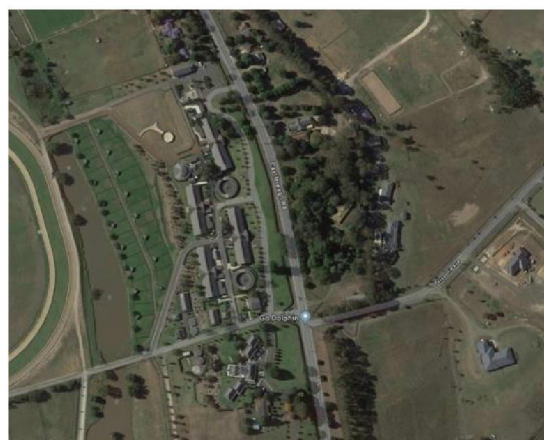
Hinxman Road



Church Lane



Castlereagh Road



Castlereagh Road

1) dwellings shall have a maximum ground floor footprint of 500m²



The proposed dwelling has a maximum ground floor footprint of 657.8m² inclusive of the attached garage. The proposal provides an appropriate site coverage given the allotment is just under 6 hectares. The building is articulated and will not present as a bulky dwelling. The dwelling design is appropriate to the character of the area. The dwelling is designed to minimise bulk by providing an articulated form and 2 wings of the structure with a garden/ water feature provided between the 'wings' of the development. The site coverage is provided over a single storey to minimise bulk and visual impact. The proposal complies with maximum widths and setbacks and will be of an appropriate scale to the site. It is considered that the departure from the development standard is justified.

5) A maximum ground floor footprint of 600m² is permitted on any one allotment including the dwelling and all associated structures but excluding 'farm buildings' and any agricultural or non-agricultural development' referred to in this chapter.

The footprint of the dwelling and associated structures is 957.8m². It is requested that Council allow for a variation to this development standard for the reasons stated above as well as the following reasons:

- The additional shed to the southern side of the dwelling will provide needed storage for the family that cannot be accommodated within the garage. This includes:
 - 7 motorbikes
 - 1 quadbike
 - Caravan
 - Boat
 - 4 trailers
 - Bobcat for farm
 - Race car
 - Cat collection and space to work on the vehicles
 - Tools and equipment
- The proposed shed and dwelling have been sited and designed to reduce the visual impact by being angled and articulated and located on the most level part of the site
- The proposal includes significant landscaping which will screen the development from view



- The buildings are clustered to retain the remainder of the site as open areas
- The proposal meets the objectives for the site and will not detract from the character of the area
- The proposed development is within the capacity of the site.

The departure from the variation will not have any impact on the public interest as the development is suitable for the site. The proposal is considered to have regards to the objectives of the clause.



7. THE LIKELY IMPACTS OF THE DEVELOPMENT

In accordance with the requirements of Section 4.15 (1)(b), Council is required to consider the likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.

7.1 THE NATURAL ENVIRONMENT

The site comprises significant natural features which include slopes, flood prone lands, a watercourse and native vegetation. The proposed development has regard to these natural features by locating the building on the cleared and level platform which is located well above the flood level.

Some limited clearing of vegetation will be required surrounding the development site in accordance with the requirements to provide an Inner Protection Area as detailed within the supplementary bushfire threat assessment to this report. The vegetation in this area is of limited value and supplementary planting (including native species around the shed) is proposed which will enhance the natural qualities of the site.

The development application is also accompanied by a waste water report that demonstrates that all waste water can be suitably managed on the site without causing an adverse impact on the local environment.

In addition the development is accompanied by a stormwater management plan which incorporates on site infiltration and 'first flush' device which will clean stormwaters; as well as erosion and sedimentation controls to ensure that stormwater from the new development will not cause adverse environmental impacts. The site drains to the Penrith Lakes Scheme which has been designed to accommodate and manage stormwaters from surrounding land uses.

As a consequence it can be concluded that the development will not cause an adverse impact on the natural environment.



7.2 THE BUILT ENVIRONMENT

The area is characterized as a rural lifestyle locality with lots varying in size and scale but averaging between 2 and 6 hectares. The proposed development is consistent in scale and form with the surrounding built environment. The siting of the development will sit within the landscape and does not protrude above the skyline and will retain and enhance the existing character of the built environment.

Development of the site as a single dwelling will not result in any significant increases in traffic from the property. The site is proposed to be serviced by a new driveway on West Wilchard Road. Safe egress and ingress to the site is available at the proposed crossover point.

The proposed dwelling is located in excess of 70 metres from Castlkeragh Road and this distance will mitigate any adverse acoustic or visual impacts from Castlereagh Road.

The proposed design of the dwelling is highly articulated and will not present a bulky development as viewed from Castlereagh Road. The siting of the development will allow for the maintenance of views from neighbouring lots to the Penrith Lakes and Blue Mountains.

Accordingly it is concluded that the development will not result in any adverse impacts to the built environment.

7.3 SOCIAL IMPACT

The proposal will provide for additional high quality housing within the Penrith area. Further the development will not cause any strain on existing social services within the area. This is considered to be a positive social impact.

7.4 ECONOMIC IMPACT

The proposal is not of a scale to cause any economic impacts to the local area.





8. SUITABILITY OF THE SITE FOR THE DEVELOPMENT

In accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act, 1979; the consent authority is required to consider the suitability of the site for the development. The previous sections of this report have demonstrated the suitability of the site for the proposed development, particularly in the following terms:

- i. The proposal provides a site responsive design and provides a new single dwelling that is in character with the existing character of the locality.
- ii. The proposed design is consistent with the overarching objectives for development as stated within Penrith City Council's environmental planning controls.
- iii. The site has been subdivided and zoned to accommodate the proposed use.

9. PUBLIC INTEREST

In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act, 1979; the consent authority is required to consider the public interest in the assessment of the proposal. The proposal is considered to accord with the wider public interest in that:

- i. The development will achieve compliance with all objectives for the site and will be compatible with the character of the surrounding locality as demonstrated throughout this report
- ii. The proposal provides a high quality residential building within a rural landscape
- iii. The proposal will not drain any public resources in the construction and life of the development;



- iv. The proposal will establish a high standard of quality residential development that will positively contribute to the locality.

Having regard to the issues raised and discussed in this report, it is considered that the proposal is not contrary to the public interest.



10. CONCLUSION

This Statement of Environmental Effects for the proposed development has considered:

- i. an analysis of the subject site and of the surrounding locality;
- ii. an analysis of the proposal against the provisions of the Penrith LEP 2010, Penrith Development Control Plan 2014, relevant SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site.
- iii. the circumstances of the case;
- iv. the public benefit of the development;

and finds that the proposal is suitable for the site and in the public interest. The proposal has regards to the objects of the Environmental Planning and Assessment Act, 1979 and represents orderly and economic development of land. The development application is accompanied by the requisite reports which have guided the form and siting of the development and accommodating infrastructure to ensure that the development does not have an adverse impact on the natural environment and will result in a high quality design which maintains the scenic vistas of the locality.

